
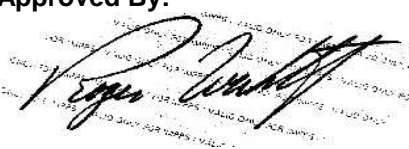



KANSAS DEPARTMENT OF CORRECTIONS

	INTERNAL MANAGEMENT POLICY AND PROCEDURE	SECTION NUMBER 14-134	PAGE NUMBER 1 of 5
		SUBJECT: PAROLE SERVICES: Transportation Memo	
Approved By:  Secretary of Corrections		Original Date Issued: 09-01-95	
		Current Amendment Effective: 07-07-01	
		Replaces Amendment Issued: 04-21-97	
Reissued By:  Policy & Procedure Coordinator		The substantive content of this IMPP has been reissued as per the appropriate provisions of IMPP 01-101. The only modifications within the reissue of this document concern technical revisions of a non substantive nature. Date Reissued: 08-12-11	

POLICY

Parole staff shall complete a transportation memo in the Total Offender Activity Documentation System (TOADS) on condition violators being returned to a KDOC facility for reasons other than a new felony conviction resulting in a prison sentence. The transportation memo shall contain sufficient specific information which allows violators to be transported safely and be placed in an appropriate facility. The Department Transportation Coordinator shall be notified by e-mail of the existence of the Transportation memo in the TOADS database upon notification of the offender's availability for transport. The TOADS system shall not be utilized for offenders being returned from out of state.

DEFINITIONS

Absconder: An offender who is delinquent in reporting to parole staff and cannot be located or has left the area without authorization.

Administrative Hold: Placement of an alleged parole violator in a KDOC facility prior to the establishment of probable cause for violation of post-release supervision conditions. Placement of an offender in a facility on administrative hold status may be done for medical or security management reasons or for conservation of jail per diem funds.

Delinquent Time: Time period from the issuance of a parole violation warrant to the date of service of the warrant.

Good Time Credits: Sentence credits earned for good behavior and program participation which when applied to the incarceration portion of the sentence serve to reduce the incarceration term; and when applied to certain post-incarceration periods serve to reduce the sentence discharge date.

OMIS: Offender Management Information System.

PROCEDURES

I. DETERMINATION OF AVAILABILITY OF OFFENDER FOR TRANSPORTATION.

- A. Before completing the Transportation Memo the parole officer shall have staffed the case with a parole supervisor or designee, per IMPP 14-137, and a parole violation warrant shall have been issued.

- B. A condition violator may be available for transport to a KDOC facility if any of the following situations exist:
1. Waiver of, or, completion of the Morrissey hearing and no local charges exist;
 2. Waiver of, or, completion of the Morrissey Hearing with existing local charges for which the offender has posted bond has been released on his/her own recognizance or has municipal charges which do not prohibit transportation of the offender to a KDOC facility.
 3. Condition violation(s) consisting solely of a misdemeanor conviction(s) on which the offender has posted bond, released on his/her own recognizance or has been sentenced to time served;
 4. Condition violation(s) consisting of felony charge(s) for which the offender has been either:
 - a. Bound over for trial and has posted, or has been granted a personal recognizance bond; or,
 - b. Convicted and granted probation by the court.
 5. Parole staff shall not make arrangements for transport if the offender has been sentenced to county time but has not been granted probation in the case unless unusual circumstances exist.
 - a. Unusual circumstances may be present if the offender's county sentence is run concurrently with any KDOC post-release revocation time or if the offender presents a medical or security management problem with which the county is not equipped to handle.
 6. Offenders may be transported to a KDOC facility prior to the establishment of probable cause for administrative hold purposes.
- C. Offenders convicted of felony charges and sentenced to KDOC custody shall be transported by the county unless a cooperative transportation arrangement is made allowing for KDOC transport.

II. PROCEDURES FOR COMPLETION OF THE TRANSPORTATION MEMO – IN-STATE.

- A. Upon determination of violator availability by the parole officer and supervisor or designee, the parole officer shall complete the Transportation Memo in TOADS.
1. The Parole Officer shall include the following information in the Transportation Memo:
 - a. The county in which the offender is housed, the city, and the warrant number;
 - b. If release condition #2 is cited as a violation, a mandatory field will appear which requires insertion of the following information regarding offender availability in narrative format:
 - (1) Whether bond was posted or offender released on own recognizance;
 - (2) If charged with a new felony and prior to conviction, whether the offender was bound over on the charge;
 - (3) New conviction information misdemeanor or felony;
 - (4) Whether probation was granted;
 - (5) If municipal charges exist but do not prohibit transportation of the offender to a KDOC facility.

- (6) The statutory title of the crime and case number shall be cited when making reference to criminal cases, whether pending or resolved.
 - (7) Dates of court appearance, dates of preliminary hearings, dates of probation and conviction shall be documented, if applicable, whenever violation of statutory law is being cited as a violation.
 - (8) Any additional information that would provide the Transportation Coordinator and facility staff with additional relevant information regarding law violation status.
2. Revocation waiver information must be included indicating the following:
 - a. If the offender was eligible for the waiver;
 - b. If so, was the waiver presented;
 - c. If the waiver was presented, the date of the waiver must be cited.
3. If the offender is an absconder, a prompt will appear requesting the date of warrant issuance and the date of apprehension.
4. Staff shall enter the date through which good time has been completed.
 - a. This will require a thorough review of good time awards to ensure that awards have been conducted at the appropriate time and are accurate.
5. Medical issues shall be documented in the first narrative section of the memo. Issues that shall be addressed include the following:
 - a. Communicable diseases;
 - b. Acute or chronic medical conditions that may become an issue when transporting the offender;
 - c. Recent substance abuse problems; and/or,
 - d. Medical conditions that may require intervention or treatment upon admission to the facility.
 - e. The parole officer shall include in the first narrative section the name, telephone number and/or pager number of the attending physician for offenders with serious medical issues.
6. Security/management issues shall be documented in the second narrative section. Issues requiring documentation on the memo include but are not limited to the following:
 - a. Escape or absconder history;
 - b. Assaultive or otherwise violent history and tendencies;
 - c. Mental condition (i.e. depressive, suicidal, manic, etc.);
 - d. Attitude, if extreme.
 - e. Gang affiliation;
 - f. Use of firearms;

- g. Any other condition, which, in the judgment of the parole officer or supervisor/designee, would influence decisions regarding transportation or classification of the offender.
- B. The Department Transportation Coordinator shall be contacted by telephone if an emergency situation exists which may require the immediate transportation of an offender to a KDOC facility.

III. PROCEDURES FOR COMPLETION OF THE TRANSPORTATION MEMO –OUT OF STATE.

- A. Transportation memos on offenders being returned to Kansas from out of State shall be completed by the Central Office Interstate Compact Unit staff, utilizing the Transportation Notification Memo (Attachment A, form #14-134-001).

IV. DISTRIBUTION OF TRANSPORTATION MEMO.

- A. When the Transportation Memo has been completed in TOADS, an e-mail shall be sent to the Transportation Coordinator, citing the inmate's name, number, and a notation indicating that the Transportation Memo is available in the TOADS database.
 - 1. The Transportation Coordinator shall view the transportation memo and shall indicate receipt by e-mailing the parole officer.
 - a. Any additional information required by the Transportation Coordinator can be posed either in the e-mail or by phone.
 - 2. Should the parole officer not receive notification of Transportation Memo receipt from the Transportation Coordinator within two (2) working days, follow up shall be made.
- B. Transportation Memos submitted by the Interstate Compact Unit staff for return of offenders from out of state shall be e-mailed as an attachment to the Transportation Coordinator utilizing the Transportation Notification Memo (Attachment A, form #14-134-001).

V. Communication regarding condition violators incurring new sentences shall be relayed via e-mail to the RDU Classification Administrators at EDCF, for male offenders, and TCF for female offenders.

- A. Information shall be included in the e-mail citing the offender's status as a condition violator with a new sentence and that additional information can be obtained in TOADS.

NOTE: The policy and procedures set forth herein are intended to establish directives and guidelines for staff and offenders and those entities that are contractually bound to adhere to them. They are not intended to establish State created liberty interests for employees or offenders, or an independent duty owed by the Department of Corrections to employees, offenders, or third parties. Similarly, those references to the standards of various accrediting entities as may be contained within this document are included solely to manifest the commonality of purpose and direction as shared by the content of the document and the content of the referenced standards. Any such references within this document neither imply accredited status by a Departmental facility or organizational unit, nor indicate compliance with the standards so cited. The policy and procedures contained within this document are intended to be compliant with all applicable statutes and/or regulatory requirements of the Federal Government and the state of Kansas This policy and procedure is not intended to establish or create new constitutional rights or to enlarge or expand upon existing constitutional rights or duties.

REPORTS REQUIRED

None.

REFERENCES

K.S.A. 75-5217
KAR 44-6-136
IMPP 14-120, 14-137

ATTACHMENTS

Attachment A - Transportation Memo, Interstate Compact, 1 page

(USE KDOC LETTERHEAD)

TRANSPORTATION NOTIFICATION
(For Interstate Compact Use)

KDOC Admission Date:
ORI:

DATE: _____

Booking #: _____

**TO: TRANSPORTATION COORDINATOR
CENTRAL OFFICE**

FROM: CENTRAL OFFICE INTERSTATE SECTION, OFFICER: _____

SUBJECT: _____ **INST/NUMBER**
(Name - Last First Middle)

HGT: _____ WGT: _____ HAIR: _____ EYES: _____
RACE: _____ DOB: _____ SEX: _____ SS#: _____

The above named subject is confined in the _____ County Jail, _____, on DOC Warrant# _____, and is available for transport.
(City/State)

___ Probable Cause Established

___ Offender Entitled to Probable Cause Hearing

Contact Person: _____ Ph #: _____ Maximum Pickup Date: _____

___ #1: REPORTING & TRAVEL:

- 1A ___ Failed to report as directed.
1B ___ Failed to report change of address.
1C ___ Left parole area without permission.
1D ___ Absconded parole supervision.

- 5A ___ Abused narcotics (_____
5B ___ Abused alcohol.
5C ___ Failure to provide specimen.

___ #6: ASSOCIATION:

- 6A ___ With persons engaged in illegal activities.
6B ___ Visited/corresponded with inmates without approval.

Delinquent Time: From _____ to _____.
Good Time Awarded Through _____
Date

Days of Good Time Awarded: _____

Days of Good Time Withheld: _____

___ #2: LAWS:

- 2A Felony ___ Convicted of _____.
2B Misd. _____
2C Felony ___ Bound over on charges of _____.
2D Misd. _____
2E ___ Failed to report arrest to PO.

___ #7: EMPLOYMENT:

- 7A ___ Failed to remain steadily employed.

___ #8: COUNSELING:

- 8A ___ Failed to participate as directed.

___ #9: COSTS:

- 9A ___ Failed to pay restitution/costs as directed.

___ #10: SPECIALS:

___ #3: WEAPONS:

- 3A Gun Possessed dangerous weapon:
3B Knife _____
3C Other _____

___ #4: PERSONAL CONDUCT:

- 4A ___ Engaged in assaultive activities.
4B ___ Made threats of violence.

(_____).

Supervision fees owed at time of revocation: \$_____. Inclusive Dates: (From _____ to _____.)

LATEST RISK ASSESSMENT SCORE

PLEASE LIST ANY SPECIAL MEDICAL/MENTAL HEALTH PROBLEMS/ISSUES:

PLEASE LIST ANY SPECIAL SECURITY/MANAGEMENT PROBLEMS (Violent, disruptive behavior, etc): _____

